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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOHN VAN STEENIS, individually,

Plaintiff,

v.

RICKEY C. KENDRICK, individually;
UNITED STATES POSTAL SERVICE,
DOES 1-X, and ROE CORPORATIONS
INC.,

Defendants.

Case No.

Notice of Removal

The United States of America ("United States") files this Notice of Removal of the above-captioned action to the United States District Court for the District of Nevada. The grounds for removal are set forth below.

This action is being removed to the United States District Court pursuant to 28 U.S.C. § 1442(a)(1). That section provides, in pertinent part:

(a) A civil action or criminal prosecution commenced in a State court and that is against or directed to any of the following may be removed by them to the district court of the United States for the district and division embracing the place wherein it is pending:

(1) The United States or any agency thereof or any officer (or any person acting under that officer) of the United States or of any agency thereof, in an official or individual capacity, for or relating to any act under color of such office or on account of any right, title or authority claimed under any Act of Congress for the apprehension or punishment of criminals or the collection of the revenue.

1 This statute provides for a “broad” grant of removal jurisdiction; it is not given a “narrow,
2 grudging interpretation.” *Nationwide Investors v. Miller*, 793 F.2d 1044, 1046 (9th Cir. 1986)
3 (quoting *Willingham v. Morgan*, 395 U.S. 402, 407 (1969)). Under Section 1442(a)(1), federal
4 court jurisdiction need not even be apparent from the face of the complaint. *See Jefferson*
5 *Cnty. Alabama v. Acker*, 527 U.S. 423, 430–31 (1999); *Mesa v. California*, 489 U.S. 121, 136–37
6 (1989).

7 Plaintiff has commenced this action “against” the United States within the meaning
8 of 28 U.S.C. § 1442(a)(1). A copy of the summons and complaint is attached hereto. The
9 United States has defenses, including sovereign immunity, which it is entitled to raise in a
10 federal forum.

11 WHEREFORE, the United States gives notice that the above-captioned action has
12 been removed from the Eighth Judicial District Court, Clark County, Nevada to the United
13 States District Court for the District of Nevada.

14 Respectfully submitted this 31st day of May 2022.

15 JASON M. FRIERSON
16 United States Attorney

17 /s/ Skyler H. Pearson
18 SKYLER H. PEARSON
19 Assistant United States Attorney
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Certificate of Service

I hereby certify that on May 31st, 2022, I electronically filed and served the foregoing Notice of Removal with the Clerk of the Court for the United States District Court for the District of Nevada using the CM/ECF system and via US Mail to the address below.

US Mail

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/ s/ Skyler H. Pearson
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